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PATENT APPLICATION

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Kazumi NAITO

Appln. No. 10/043,102

Group Art Unit: 1742

Confirmation No.: 6751

Examiner: NOT YET ASSIGNED

Filed: January 14, 2002

Attorney Docket No.: Q68095

For: NIOBIUM POWDER, SINTERED BODY THEREOF AND CAPACITOR USING THE
SAME

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
Washington, D.C. 20231

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Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and which the Examiner may deem material to patentability of the claims of the above-identified application.

Of the listed documents, JP 1-167206, JP 10-242004, JP 11-145008, and JP 11-329902 were cited in the International Search Report mailed in PCT/JP00/04753, from which the present application claims benefit. One copy of each of JP 1-167206, JP 10-242004, JP 11-145008, and JP 11-329902 is submitted herewith. Additionally, in compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of the International Search Report citing JP 1-167206, JP 10-242004, JP 11-145008, and JP 11-329902.

The remainder of the listed documents in the attached Form PTO-1449 are documents of record in U.S. Serial No. 09/636,638, which is also an application from which the present application claims benefit. Because the remainder of the documents were previously cited by or

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INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No. 10/043,102

submitted to the Office in a prior application relied on for an earlier filing date under 35 U.S.C. § 120, (i) copies of the remainder of the documents are not provided and (ii) concise explanations of the relevance are not provided.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



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